

REMARKS:

In the outstanding Office Action, claims 1-23 were rejected claims 1-23. Claims 1, 3, 4, 12, 14, 15, 22 and 23 have been amended for clarification, and claims 2 and 13 have been canceled without prejudice. New claims 24 and 25 have been added. Thus, claims 1, 3-12 and 14-25 remain pending for reconsideration which is requested. No new matter has been added. The outstanding rejections and objections are traversed below.

REJECTION UNDER 35 U.S.C. §101:

In the outstanding Office Action, claims 12-23 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

The Examiner claims that the claims read on a mental process that can be carried out using pencil and paper. Independent claims 12 and 23 have been amended to recite, "a computer" via which a schedule management operation is executed to conform to the requirements of 35 U.S.C. §101.

Accordingly, withdrawal of the rejection is respectfully requested because independent claims 12 and 23 and claims depending therefrom are directed to a schedule managing method where "a computer", in the technological arts, is used to execute an automatic adjustment of overlapping schedules that produces a concrete, tangible and useful result (see, MPEP §2106).

REJECTION UNDER 35 U.S.C. §112¶2:

At items 7 and 8 of the outstanding Office Action, the Examiner rejected claims 4 and 5 as being indefinite.

Claims 4 and 5 have been amended to comply with the requirements of §112¶2. Therefore, withdrawal of the rejection pertaining to claims 4 and 5 is respectfully requested.

REJECTION UNDER 35 U.S.C. §102(e):

In the outstanding Office Action, claims 1-10, 12-21 and 23 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,047,260 ('260).

'260 discusses a planning and scheduling system using a ToDo list where when tasks having start and stop times for completion are changed in response to an unexpected event, the unexpected event is added into the plan with minimal disruption to the plan.

The present invention is directed to a schedule managing apparatus and method for

automatically adjusting overlapped schedules based on classification of input schedules.

The Examiner compares the '260 scheduling system for re-planning a user's schedule based on changes caused due to unexpected event(s) with the present invention. In '260, tasks and appointments have a priority and goal associated therewith to permit a planner to automatically determine a schedule for a user based on the priorities and goals (see, column 9, lines 50-53 of '260). The '260 system handles floating tasks requiring a predetermined duration of time for completing the task without specifying start or end times, and fixed tasks having set start and stop times (see, column 10, lines 12-15 and abstract of '260). As shown in Fig. 25 of '260, upon an interruption, the fixed tasks are interrupted and the subsequent floating tasks are delayed causing the floating tasks to be proportionally shortened (see, FIG. 25 and corresponding text of '260). Accordingly, the '260 system is limited to period type schedules having start and stop times.

As recited in each of independent claims 1, 12 and 23, the schedule managing apparatus and method of the present invention classifies inputted schedule into "any type of a term type schedule in which designated date/time is set to a term of an operation or a period type schedule in which a designated certain period is assured for the operation on the basis of information of said inputted schedule". The present invention then enables adjusting of the schedules "in accordance with a combination of the schedule types of the term type and the term type, the period type and the period type, or the period type and the term type in a case where said inputted schedule overlaps with an existing schedule with respect to the time". This is unlike the '260 system that is limited to period type schedules because the present invention also includes classification of a schedule into "term type schedule in which designated date/time is set to a term of an operation".

For example, FIGS. 7A and 7B of the present application illustrate schedules classified into term type and period type schedules. As shown in 7B, scheduling for "password changing operation until 17:00 on 5/17", "present materials until 12:00 on 5/15", and "present materials until 12:00 on 5/17" are classified into term type schedules, allowing management of tasks based on consideration of their respective "stop time" (until). The '260 method does not teach or suggest classifying schedules into "any type of a term type schedule in which designated date/time is set to a term of an operation or a period type schedule in which a designated certain period is assured for the operation on the basis of information of said inputted schedule".

It is submitted that the independent claims are patentable over '260.

For at least the above-mentioned reasons, claims depending from independent claims 1, 12 and 23 are patentably distinguishable over '260. The dependent claims are also independently patentable. For example, as recited in claim 5, the schedule managing apparatus "assembles the new schedule as it is without adjusting both of said schedules" when "the inputted new schedule and the existing schedule are the term type schedules and terms of both of said schedules overlap". The '920 method does not teach or suggest, classifying the inputted new schedule and the existing schedule and "[assembling] the new schedule as it is without adjusting both of said schedules "terms of both of said schedules overlap".

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. §103(a):

At item 12 of the outstanding Office Action, claims 11 and 22 were rejected under 35 U.S.C. §103(a) as being unpatentable over '260, in view of Windows 95® Manual (www.windweaver.com/w95man.htm).

The Windows 95® Manual discusses sending files to a recycling bin when files are deleted and maintains the same until a user deletes or recovers the files from the recycling bin.

The arguments presented above related to independent claims 1 and 12, from which dependent claims 11 and 22 depend, are incorporated herein.

The Examiner acknowledges that '260 does not specifically disclose storing a schedule deleted by the adjustment of the schedule and a position before the adjustment of the schedule moved due to the adjustment and storing history upon deletion and referring to the same for recovery, thus relies on the Windows 95® Manual as disclosing the same. The Windows 95® Manual discusses storing deleted files in the recycling bin temporarily to allow restoration of the deleted files depending on the program used to create the file (see, page 1, paragraph 4 of the Windows 95® Manual).

The combination of '260 and Windows 95® Manual results in a planning/scheduling system using a ToDo list where when tasks having start and stop times for completion are changed in response to an unexpected event, the unexpected event is added into the plan with minimal disruption to the plan, and storing deleted files temporarily based on the program used to create the files until a user recovers/deletes the same.

Claims 11 and 22 recite, storing "schedule deleted by the adjustment of said schedule adjusting unit and a position before the adjustment of the schedule moved due to the

adjustment" and "referring to a stored history and performing recovery of the schedule deleted due to the schedule adjustment or a return of the schedule to an initial position moved due to the schedule adjustment". The Windows 95® Manual does not teach or suggest "a schedule history managing unit storing deleted schedule and a position of the same" nor "performing a recovery of the schedule deleted".

It is submitted that claims 11 and 22 are patentable over the combination of '260 and the Windows 95® Manual. Therefore, withdrawal of the rejection is respectfully requested.

NEW CLAIMS:

New claims 24 and 25 are added to emphasize that the method of managing a schedule of the present invention includes, "classifying schedules into types" (claim 25) where it is determined "whether the newly input schedule designates date/time as term of operation or designates a certain period for completion based on information of the newly input schedule" (claim 24).

The method further includes "automatically adjusting scheduling overlaps between the newly inputted schedule and other existing schedules via the computer, where the other existing schedules are classified and compared with classification of the newly input schedule" (claim 24). This enables the present invention to selectively adjust existing schedules "responsive to the types" (claim 25), including adjusting overlaps between new and existing schedules.

It is respectfully asserted that new claims 24 and 25 are patentably distinguishable over the cited references.

CONCLUSION:

In accordance with the foregoing, claims 1, 3, 4, 12, 14, 15, 22 and 23 have been amended for clarification, claims 2 and 13 have been cancelled without prejudice, and new claims 24 and 25 have been added. Thus, claims 1, 3-12 and 14-25 are pending and under consideration.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge

the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 8/26/04

By: 
J. Randall Beckers
Registration No. 30,358

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501